



The Little Traverse Bay Bands of Odawa Indians
VIA ZOOM

Tribal Council Regular Meeting Agenda
August 20, 2020
9:00 a.m.

All meetings, work sessions and Citizens' meetings are recorded

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

Please click the link below to join the ZOOM webinar:

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GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. **Motion** to Adopt the Agenda of August 20, 2020 as...
5. **Motion** to dedicate this meeting in honor of the following Tribal Citizens who have walked on: Donald D. Denemy, Erlene M. Futrel, Susan K. Goddard, John Portman, William P. Shananaquet Jr., Dawn L. Smith, and Mark L. Smith
6. Review and Approve Minutes of July 23, 2020.
 - a. **Motion** to approve the minutes of July 23, 2020 as (presented/corrected).
7. **9:15 a.m.** Introduction of new Tribal Government Employees
Education Department: WOCTEP Student Advisor Michael Mondoskin;
Elders Outreach Coordinator Holly LaCombe;
Tribal Prosecutor Kevin Hesselink.
8. **9:30 a.m.** Odawa Economic Affairs Holding Corporation-Monthly Report
 - i. **Motion** to acknowledge Odawa Economic Affairs Holding Corporation's updates as presented by Board Chairman Greg Karlis on August 20, 2020.
9. **10:00 a.m.** Gaming Authority/Odawa Casino Resort's Confidential 2020 2nd Quarter Report

- i. **Motion** to acknowledge receipt of the Gaming Authority/Odawa Casino Resort Confidential 2020 Q2 Update and the Confidential letter update for the Enterprise dated August 12, 2020.

10. **11:00 a.m.** Odawa Economic Affairs Holding Company, Inc. Interview-Brent Bennington

11. Executive Oversight Report

- i. **Motion** to acknowledge the verbal and written Executive Oversight Report as presented by Tribal Chairperson Regina Gasco-Bentley on August 20, 2020.

12. Tribal Council Officer Reports

a. Legislative Leader Report

i.

Motion to accept Legislative Leader Proctor's verbal and written report for August 20, 2020.

b. Secretary Report

a. Documents Delivered to the Executive

-Tribal Resolution # 072320-01 Appropriation of Funds for Operator's License Application Fees under Michigan Lawful Internet Gaming Act and Lawful Sports Betting Act-Executive signed 07/23/20.

-Tribal Resolution # 072320-02 Appropriations of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") in the amount of \$3,519,051.41-Executive signed 07/23/20

-Tribal Resolution # 072320-03 To Authorize the Maamwi Council to Carryover Unused Funds Raised through Fundraising Events or Donations-Executive signed 07/23/20

-Tribal Resolution # 072420-01 Designation of Primary Management Official for Internet Gaming Operations-Executive signed 07/24/20

-Tribal Resolution # 081220-01 Supplemental Funding in the amount of \$40,000.00 for purchase and Install of a 25-ton Condenser Replacement to come from the General Fund-Fund Balance-Executive signed 08/17/2020

b. **Veto**es (a vote of Tribal Council to override a veto shall occur within 90-days of the veto): **none**

c. Phone Polls passed by Tribal Council:

- i. *0724/20 Reason for Phone Poll: to adopt Tribal Resolution: Designation of Primary Management Official for Internet Gaming Operations.*

Vote: 6-yes, 3-absent (Secretary Julie Shananaquet, Councilor Fred Kiogima, Councilor Melissa Pamp) Motion carried

- ii. *08/03/20 Reason for Phone Poll: Motion to authorize and direct general counsel James Bransky to file an intervention petition on behalf of LTBB in Case U-20763 before the Michigan Public Service Commission In the matter of the Application for the Authority to Replace and Relocate Segment of Line 5 Crossing the Straits of Mackinac into a Tunnel Beneath the Straits of Mackinac.*

Phone Poll Vote: 9-Yes Motion carried

- iii. 08/07/20 Reason for Phone Poll: Motion to approve COVID-19 Emergency Disaster Relief Payment Program Policy.
Phone Poll Vote: 9-yes Motion carried
Comments:
Councilor Fred Kiogima: My vote is YES, a much-needed clarification, all of our citizens need the funds.
- iv. 08/12/20 Reason for Phone Poll: Motion to adopt Tribal Resolution Supplemental Funding in the amount of \$40,000.00 for purchase and Install of a 25-ton Condenser Replacement to come from the General Fund-Fund Balance.
Phone Poll Vote: 7- Yes, 2- Absent (Councilor Melissa Pamp, Secretary Julie Shananaquet) Motion carried

Motion to accept Secretary Shananaquet's verbal and written report as provided on the agenda for August 20, 2020.

c. Treasurer Report

i. **Appropriations and Finance Committee**

-Last Meeting: August 11, 2020

(Motions made at Appropriations and Finance Committee Meeting)

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to recommend to Tribal Council to approve CERTIFIED MOTION # 082020-01 Authorization and Support of Applications for and Acceptance of COVID-19 Related Funds Received under Tribal Resolution 032420-01 COVID-19 Suspension of Deadlines during June 2020.

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried*

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to approve CERTIFIED MOTION # 082020-02 Request for Funding from the Indian Health Service, BEMAR Funds for FY 2020.

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to adopt Tribal Resolution Budget Modification for FY 2020 in the amount of \$40,000.00 to fund Capital Expenditures Market Rate Rental Upgrades.

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

(The above recommendation needs further Tribal Council discussion. The Executive submitted the following Tribal Resolution on 08/19/20 per Appropriations and Finance Committee Chair request for clarity purposes):

Tribal Resolution Budget Modification for FY 2020 in the amount of \$40,000.00 for fund Capital Expenditures for purposes of finishing rentals and cabins repair.

Motion made by Councilor Leroy Shomin and supported by Secretary Julie Shananaquet to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$40,000.00 for purchase and Install of a 25-ton Condenser Replacement to come from the General Fund-Fund Balance.

*Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent
Motion carried.*

Motion made by Secretary Julie Shananaquet and supported by Councilor Leroy Shomin to approve the following dates and deadlines in accordance with the Tribal Government Budget Formulation and Modification Process Statute, and rescinds any previously approved Budget Calendar dates and Deadlines for the 2021 Annual Budget.

Vote: 3 -yes, 0 -no, 0 -abstain, 0 -absent

Motion carried.

September 8, 2020 Approval of the General Fund Budget Allocation to Governmental Branches

September 29, 2020 Branch / Department 2021 Annual Budget submissions to Treasury Office, including General Fund Budgets, Cost Recovery Budgets and Grant/ Federal Contract Fund Budgets

October 1, 2020 Determination of any deletions or additions to Governmental Branch proposed budgets, and Governmental Branches Budget hearing

October 8, 2020 Tribal Council receipt of proposed 2021 Annual Budget, and posting of proposed 2021 Annual Budget made available for Tribal Citizens

October 13, 2020 2021 Annual Budget Public Hearing (1:00pm)

October 22, 2020 Tribal Council approval of 2021 Annual Budget

October 23, 2020 Final 2021 Annual Budget posted to Tribal Website

-Next Meeting: Tuesday, September 8, 2020 at 9:00 a.m. via ZOOM

Phone Polls passed by Appropriations and Finance Committee: none

Motion to accept the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for August 20, 2020.

ii. Land and Reservation Committee

-Last Meeting: August 14, 2020.

(Motions made at Land and Reservation Committee Meeting)

Motion made by Councilor Fred Kiogima and supported by Legislative Leader Emily Proctor to recommend to Tribal Council to amend the Administration site plan to include the NRD Solar Array map dated 07/31/2020.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Marcella Reyes)

Motion carried.

Motion made by Councilor Fred Kiogima and supported by Legislative Leader Emily Proctor to recommend to Tribal Council to post the Land Acquisition Policy to the Legislative Calendar in the Odawa Registry.

Vote: 2 -yes, 0 -no, 0 -abstain, 1 -absent (Treasurer Marcella Reyes)

Motion carried.

-Next Meeting: Friday, September 11, 2020 at 9:00 a.m. via ZOOM

Motion to accept the Land and Reservation Committee verbal and written report as provided on the agenda by Treasurer Reyes, Committee Chair for August 20, 2020.

13. Tribal Council Member Reports:

14. Legislative Office Reports:

a. Office of Finance and Revenue

i. Corporate Charters and/or Board Updates:

- Traditional Tribal Burial Board
- Odawa Economic Development Management, Inc.
- Ziibimijwang, Inc.

ii. Rural Tribal Priority Window

Motion to accept Sr Financial Analyst Rachel Cope's verbal and written report for August 20, 2020.

b. Tribal Historic Preservation Officer

i.

Motion to accept Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report as presented on August 20, 2020.

c. Legislative Services Attorney

- i. Federal Torts Claims Act, Victories Square
- ii. Community Convention or Tourism Marketing Act

Motion to acknowledge receipt of Legislative Services Attorney Donna Budnick's verbal and written report for August 20, 2020.

d. General Counsel

i.

Motion to accept General Counsel Jim Bransky's verbal report for August 20, 2020.

e. Legislative Office Manager

i.

Motion to accept Legislative Office Manager Michele Portman-LaCount's verbal and written report as presented on August 20, 2020.

15. Tribal Council Action Items:

a. Motions

- i. **Motion** to approve Citizenship List A – Eligible for Citizenship dated August 5, 2020 for a total of seven (7)

- ii. **Motion** to approve Citizenship List B – Declination (Ineligible) dated August 5, 2020 for a total of two (2).
- iii. **Motion** to approve CERTIFIED MOTION # 082020-01 Authorization and Support of Applications for and Acceptance of COVID-19 Related Funds Received under Tribal Resolution 032420-01 COVID-19 Suspension of Deadlines during June 2020.
- iv. **Motion** to approve CERTIFIED MOTION # 082020-02 Request for Funding from the Indian Health Service, BEMAR Funds for FY 2020.
- v. **Motion** to approve the following dates and deadlines in accordance with the Tribal Government Budget Formulation and Modification Process Statute, and rescinds any previously approved Budget Calendar dates and Deadline for the 2021 Annual Budget:

September 8, 2020	Approval of the General Fund Budget Allocation to Governmental Branches
September 29, 2020	Branch / Department 2021 Annual Budget submissions to Treasury Office, including General Fund Budgets, Cost Recovery Budgets and Grant / Federal Contract Fund Budgets
October 1, 2020	Determination of any deletions or additions to Governmental Branch proposed budgets, and Governmental Branches Budget hearing
October 8, 2020	Tribal Council receipt of proposed 2021 Annual Budget, and posting of proposed 2021 Annual Budget made available for Tribal Citizens
October 13, 2020	2021 Annual Budget Public Hearing (1:00pm)
October 22, 2020	Tribal Council approval of 2021 Annual Budget
October 23, 2020	Final 2021 Annual Budget posted to Tribal Website
- vi. **Motion** to approve and amend the Administration site plan to include the Natural Resource Department Solar Array map dated 07/31/2020.
- vii. **Motion** to post the Land Acquisition Policy to the Legislative Calendar in the Odawa Register.
- viii. **Motion** to acknowledge receipt and approve the Amendment to the Little Traverse Bay Bands of Odawa Indians Tribal Minimum Internal Control Standards REG-WOS 2011-005 081820-001 as received from the Executive on August 18, 2020.
- ix. **Motion** to acknowledge receipt of the Gaming Regulatory Sports Betting Regulations REG-WOS 2011-005 081820-001 submitted by the Executive on 08/18/2020.
- x.

b. Roll Call Votes

- i. **Motion** to adopt Tribal Resolution Budget Modification for FY 2020 in the amount of \$40,000.00 to fund Capital Expenditures Market Rate Rental Upgrades.
(May need verbiage update. Discussion to be had in the Appropriations and Finance Committee Report)

14. Other Items of Business:

- a. Closed Session for Land Parcel #120

Adjournment

Next Scheduled Meeting:
September 3, 2020 at 9:00 a.m.